

***Repealed 5/10/2016***

**17C-4-402 Requirements for notice provided by agency.**

- (1) The notice required by Section 17C-4-401 shall be given by:
  - (a)
    - (i) publishing one notice, excluding the map referred to in Subsection (2)(b), in a newspaper of general circulation within the county in which the project area or proposed project area is located, at least 14 days before the hearing;
    - (ii) if there is no newspaper of general circulation, posting notice, at least 14 days before the hearing, in at least three conspicuous places within the county in which the project area or proposed project area is located; or
    - (iii) posting notice, excluding the map described in Subsection (3)(b), at least 14 days before the day on which the hearing is held on:
      - (A) the Utah Public Notice Website described in Section 63F-1-701; and
      - (B) the public website of a community located within the boundaries of a project area; and
  - (b) at least 30 days before the hearing, mailing notice to:
    - (i) each record owner of property located within the project area or proposed project area;
    - (ii) the State Tax Commission;
    - (iii) the assessor and auditor of the county in which the project area or proposed project area is located; and
    - (iv) the State Board of Education and the legislative body or governing board of each taxing entity.
- (2) The mailing of the notice to record property owners required under Subsection (1)(b)(i) shall be conclusively considered to have been properly completed if:
  - (a) the agency mails the notice to the property owners as shown in the records, including an electronic database, of the county recorder's office and at the addresses shown in those records; and
  - (b) the county recorder's office records used by the agency in identifying owners to whom the notice is mailed and their addresses were obtained or accessed from the county recorder's office no earlier than 30 days before the mailing.
- (3) The agency shall include in each notice required under Section 17C-4-401:
  - (a)
    - (i) a specific description of the boundaries of the project area or proposed project area; or
    - (ii)
      - (A) a mailing address or telephone number where a person may request that a copy of the description be sent at no cost to the person by mail or facsimile transmission; and
      - (B) if the agency has an Internet website, an Internet address where a person may gain access to an electronic, printable copy of the description;
  - (b) a map of the boundaries of the project area or proposed project area;
  - (c) an explanation of the purpose of the hearing;
  - (d) a statement of the date, time, and location of the hearing;
  - (e) an invitation to the recipient of the notice to submit to the agency comments concerning the subject matter of the hearing before the date of the hearing;
  - (f) a statement that any person objecting to the draft project area plan or contesting the regularity of any of the proceedings to adopt it may appear before the agency board at the hearing to show cause why the draft project area plan should not be adopted; and
  - (g) a statement that the proposed project area plan is available for inspection at the agency offices.

- (4) An agency may include in a notice under Subsection (1) any other information the agency considers necessary or advisable, including the public purpose served by the project and any future tax benefits expected to result from the project.